

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**MANIYA ALLEN, et al.,  
Plaintiffs,**

**v.**

**Case No. 11-CV-0055**

**AMERICAN CYANAMID CO, et al.,  
Defendants,**

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**SCHEDULING ORDER**

The following schedule will be effective for Plaintiffs Xavier Currie, Leah Davis, and Brandon Johnson (Wave 3 Plaintiffs). If these dates prove to be problematic, parties are free to meet and confer and set new dates without objection from the court. If the parties are unable to resolve any issues, they may request a status conference to address the schedule.

**IT IS ORDERED** that:

1.
  - a. All requests for fact discovery shall be served by a date sufficiently early so that fact discovery can be completed no later than **March 9, 2021**.
  - b. Third-party depositions of the Milwaukee Health Department, Wisconsin Department of Health Services, NL Industries, Inc., and expert depositions of Drs. Rosner and Markowitz will be completed in the same manner and using the deadlines in advance of the Wave 3 trials (90 and 45 days respectively) as the schedule set forth in the Court's June 15, 2020 Case Management Order (Allen doc. 828) unless conditions permit them to be conducted in person at an earlier time.
  - c. Any discovery motions brought pursuant to Rules 26 through 37 of the Federal Rules of Civil Procedure must comply with Civil L. R. 37, by including

a written certification by the movant that, after the movant in good faith has conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action, the parties are unable to reach an accord. The statement must recite the date and time of the conference or conferences and the names of all parties participating in the conference or conferences.

All discovery motions and non-dispositive pretrial motions must be filed pursuant to Civil L. R. 7(h), unless the court otherwise permits. The motion must not exceed three pages in length. No separate memorandum may be filed with the motion, and any supporting affidavit allowed by Civil L. R. 7(h) must not exceed two pages. An opposing memorandum, which must not exceed three pages in length, may be filed within seven days of service of the motion. The court will notify the parties of the date and time for a hearing on the motion, if the court deems it necessary.

2. Both sides shall disclose any expert witnesses relating to general liability, consistent with Rule 16(a)(2), on or before **March 9, 2021**.
3. Both sides shall disclose general liability rebuttal witnesses and reports on or before **March 19, 2021**.
4. Both sides shall disclose case specific expert witnesses on or before **April 2, 2021**.
5. Both sides shall disclose case specific rebuttal witnesses and reports on or before **April 23, 2021**.
6. All depositions of expert witnesses shall be completed by **May 15, 2021**.
7. Any *Daubert* or dispositive motions must be filed on or before **June 7, 2021**.

The foregoing schedule shall not be modified except upon a showing of good cause and by leave of the court. This order does not modify the schedule other than for the Wave 3 plaintiffs.

**SO ORDERED** at Milwaukee, Wisconsin, this 18th day of December, 2020.

s/Lynn Adelman  
LYNN ADELMAN  
District Judge